

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

**Amended and Superseding  
Order of Restitution**

v.

JOSEPH GUAGLIARDO

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20 Cr. 23 (DLC)

Upon the application of the United States of America, by its attorney, Audrey Strauss, Acting United States Attorney for the Southern District of New York, Eli J. Mark and Daniel C. Richenthal, Assistant United States Attorneys, Alona Katz, Special Assistant United States Attorney, of counsel; and consideration of the presentence investigation report; the defendant's plea of guilty pursuant to a written plea agreement in which he agreed to pay restitution; and the defendant's conviction on Count One of the above Information; and all other proceedings in this case, it is hereby ORDERED that:

**1. Amount of Restitution**

JOSEPH GUAGLIARDO, a/k/a "Joseph Gagliardo," the defendant, shall pay restitution in the total amount of \$468,189, pursuant to 18 U.S.C. §§ 3663 and 3663A, to Municipal Credit Union, the victim of the offense charged in Count One. Restitution shall be sent to:

Municipal Credit Union  
Attention: Robert F. Bedford, Esq.  
General Counsel  
22 Cortlandt Street  
New York, NY 10007-3107

Upon advice by the United States Attorney's Office of a change of address of the victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

**A. Joint and Several Liability**

Restitution is not joint and several with other defendants or with others not named herein.

**2. Schedule of Payments**

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant; including obligations to dependents, the defendant shall pay restitution in at least the manner and according to the schedule that follows:

The total amount of restitution shall be made by August 13, 2020.

**3. Payment Instructions**

The defendant shall make restitution payments by certified check, bank check, money order, wire transfer, credit card or cash. Checks and money orders shall be made payable to the “SDNY Clerk of the Court” and mailed or hand-delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write his name and the docket number of this case on each check or money order. Credit card payments must be made in person at the Clerk’s Office. Any cash payments shall be hand delivered to the Clerk’s Office using exact change, and shall not be mailed. For payments by wire, the defendant shall contact the Clerk’s Office for wiring instructions.

**4. Additional Provisions**


The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney’s Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Unit) of (1) any change of the defendant’s name, residence, or mailing address or (2) any material change in the defendant’s financial resources that affects the defendant’s ability to pay restitution

in accordance with 18 U.S.C. § 3664(k). If the defendant discloses, or the Government otherwise learns of, additional assets not known to the Government at the time of the execution of this order, the Government may seek a Court order modifying the payment schedule consistent with the discovery of new or additional assets.

**5. Restitution Liability**

The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

SO ORDERED:

  
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DENISE COTE  
United States District Judge

July 29, 2020  
DATE